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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,344	12/15/2000	Tetsuya Yokoyama	862.C2080	8625

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EXAMINER	
SINGH, SATWANT K	
ART UNIT	**PAPER NUMBER**
2626	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/736,344	YOKOYAMA, TETSUYA	
	Examiner	Art Unit	
	Satwant K. Singh	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4,6,9,11,14,16 and 29-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4,6,9,11,14,16 and 29-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 1 September 2005.

Response to Arguments

2. Applicant's arguments with respect to claim1, 6, and 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 6 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 6 is drawn to function descriptive material not claimed as residing on a computer readable medium. Claim 6, while defining a storage medium, does not define a "computer-readable medium" and is thus non-statutory for that reason. The examiner suggests amending the claim to embody the program on "computer-readable medium" in order to make the claim statutory.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 4, 6, 9, 11, 14, 16, and 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakai et al. (US 6,081,342) in view of Abe (US 6,894,792).

7. Regarding Claim 1, Nakai et al teach a print processing method for executing print processing upon exchanging print information with a device connected via a network, comprising: a step of submitting print information (image data are transferred), which has been generated by one device (digital copying machine 92), to another device (digital copying machine 93) and starting a first print job (col. 21, lines 62-67, col. 22, lines 1-18); a detection step of detecting whether a failure (transmission error) has occurred on the side of the one device during the submission of the print information (takes too long for the digital copying machine 93 to return to image data due to an error on the transmission line) (col. 32, lines 15-19); a step of determining to abort (Fig. 31, S203) or suspend (Fig. 31, S204) (col. 36, lines 41-64) processing of the first print job, which is currently being submitted, in accordance with the detection made in said detection step; a step of reporting abort (Fig. 31, S203) or suspension (Fig. 31, S204) of processing to the other device (digital copying machine 93) which receives the print information (col. 36, lines 41-64); a step of aborting the first print job in the other device according to receipt of the notice which indicates abort (Fig. 31, S203) (col. 36, lines 41-64); a step of suspending the processing of the first print job in the other device according to receipt of the notice which indicates suspension (Fig. 31, S204) (col. 36, lines 41-64).

Nakai et al fail to teach a print processing method comprising: a step of processing a second job which differs from the first print job, after the processing of the

first print job has been suspended in step of suspending; and a step of processing the first print job, after the second job has been processed in said step of processing.

Abe teaches a print processing method comprising: a step of processing a second job which differs from the first print job, after the processing of the first print job has been suspended in step of suspending (subsequent job is processed first); and a step of processing the first print job, after the second job has been processed in said step of processing (processing of the job is restarted) (col. 9, lines 13-42).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Nakai with the teaching of Abe to allow a user to process subsequent print jobs due to a transmission failure to make efficient use of the copier.

8. Regarding Claim 4, Nakai et al teach a method wherein in a case where a failure (transmission error) that occurred is eliminated at detection performed at said stem for detecting (takes too long for the digital copying machine 93 to return the image data due to an error on the transmission line) whether a failure (transmission error) has occurred, said determining step includes determining to resume processing of the suspended print job (Fig. 31, S204) (operator can resume the operation of the digital copying machine 91) (col. 36, lines 41-64).

9. Claim 6 is rejected for the same reason as claim 1.

10. Claims 9 and 14 are rejected for the same reason as claim 4.

11. Regarding Claim 11, Nakai et al teach a printing control system, which includes a first device and a second device, for executing print processing upon exchanging print

information with a device connected via a network, said first deice comprising: means for submitting print information (image data are transferred) which has been generated by the first device (digital copying machine 92), to the second device (digital copying machine 93) and starting a first print job (col. 21, lines 62-67, col. 22, lines 1-18); detection means for detecting whether a failure (transmission error) has occurred on the side of the first device during the submission of the print information (takes too long for the digital copying machine 93 to return to image data due to an error on the transmission line) (col. 32, lines 15-19); means for determining to abort (Fig. 31, S203) or suspend (Fig. 31, S204) (col. 36, lines 41-64) processing of the fist print job, which is currently being submitted, in accordance with the detecting made by said detecting means; means for reporting abort (Fig. 31, S203) or suspension (Fig. 31, S204) of processing to the second device, which receives the print information (col. 36, lines 41-64); and said second device comprising: means for aborting the processing of the first print job in the other device according to the receipt of the notice which indicates abort (Fig. 31, S203); means for suspending the processing of the first print job in the other device according to receipt of the notice which indicates suspension (Fig. 31, S204) (col. 36, lines 41-64).

Nakai et al fail to teach a printing control system comprising means for processing a second job which differs from the first print job, after the processing of the first print job has been suspended by said suspending means; and means for processing the first print job, after the second job has been processed by said processing means.

Abe teaches a printing control system comprising means for processing a second job which differs from the first print job, after the processing of the first print job has been suspended by said suspending means (subsequent job is processed first); and means for processing the first print job, after the second job has been processed by said processing means (processing of the job is restarted) (col. 9, lines 13-42).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Nakai with the teaching of Abe to allow a user to process subsequent print jobs due to a transmission failure to make efficient use of the copier.

12. Regarding Claim 16, Nakai et al teaches a system, wherein devices connected via the network include a copier (digital copying machines 91, 92, and 93).

13. Regarding Claim 29, Nakai et al fail to teach a method, further comprising: a step of determining whether a notice which indicates resumption is received, after the second print job has been processed; and a step of processing, the first print job in a case where the notice is received or a third print job in a case where the notice is not received, based on the determination in said step of determining.

Abe teaches a method, further comprising: a step of determining whether a notice which indicates resumption is received, after the second print job has been processed (user clicks on restart button); and a step of processing, the first print job in a case where the notice is received (processing of the job is restarted) or a third print job in a case where the notice is not received (another subsequent job is processed first), based on the determination in said step of determining (col. 9, lines 19-42).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Nakai with the teaching of Abe to allow a user to process subsequent print jobs due to a transmission failure to make efficient use of the copier.

14. Regarding Claim 30, Nakai et al teach a method, wherein said step of determining determines to abort or suspend the processing based on information of a memory which stores information of the failure to be aborted and the failure to be suspended (digital copying machine judges whether the trouble is a minor one or a serious one) (col. 36, lines 37-40).

15. Regarding Claim 31, Nakai et al fail to teach a method, wherein said step of determining determines to abort or suspend the processing based on a user's instruction.

Abe teaches a method, wherein said step of determining determines to abort (delete button) or suspend (suspend button) the processing based on a user's instruction (col. 9, lines 19-42).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Nakai with the teaching of Abe to allow a user to process subsequent print jobs due to a transmission failure to make efficient use of the copier.

16. Claims 32 and 35 are rejected for the same reason as claim 29.

17. Claims 33 and 36 are rejected for the same reason as claim 30.

18. Claims 34 and 37 are rejected for the same reason as claim 31.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kamiya (US 5,974,232) discloses an image processing apparatus that executes abortion of image processing and method of resuming aborted image processing.

Kusumoto (US 6,351,315) discloses an image forming apparatus capable of continuous operation after malfunction correction.

Salgado et al. (US 6,651,081) discloses a method and apparatus for prioritizing the use of multifunctional printing system's basic processing resources to allow a high priority job to gain immediate access to a shared resource.

Dorsey et al. (US 6,744,527) discloses a user interface for navigating and controlling a printing system to generate documents received from one or more input units.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Satwant K. Singh
Examiner
Art Unit 2626

sks

MARK WALLERSON
PRIMARY EXAMINER